

(iii) supplies of protective clothing, including flak jackets and military helmets, temporarily exported to Cote d'Ivoire by United Nations personnel, representatives of the media, and humanitarian and development workers and associated personnel, for their personal use only;

(iv) supplies temporarily exported to Cote d'Ivoire to the forces of a country that is taking action solely and directly to facilitate the evacuation of its nationals and those for whom it has consular responsibility in Cote d'Ivoire; and

(v) supplies of arms and related materiel and technical training and assistance intended solely for support of or use in the process of restructuring defense and security forces pursuant to paragraph 3, subparagraph (f) of the Linas-Marcoussis Agreement.

Sec. 4. For those persons listed in or designated pursuant to this order who might have a constitutional presence in the United States, I find that because of the ability to transfer funds or other assets instantaneously, prior notice to such persons of measures to be taken pursuant to this order would render these measures ineffectual. I therefore determine that for these measures to be effective in addressing the national emergency declared in this order, there need be no prior notice of a listing or determination made pursuant to section 1 of this order.

Sec. 5. The Secretary of the Treasury, after consultation with the Secretary of State, is hereby authorized to take such actions, including the promulgation of rules and regulations, and to employ all powers granted to the President by the IEEPA and the UNPA, as may be necessary to carry out the purposes of this order. The Secretary of the Treasury may redelegate any of these functions to other officers and agencies of the United States Government, consistent with applicable law. All executive agencies of the United States Government are hereby directed to take all appropriate measures within their authority to carry out the provisions of this order and, where appropriate, to advise the Secretary of the Treasury in a timely manner of the measures taken. The Secretary of the

Treasury shall ensure compliance with those provisions of section 401 of the NEA (50 U.S.C. 1641) applicable to the Department of the Treasury in relation to this order.

Sec. 6. The Secretary of the Treasury, after consultation with the Secretary of State, is hereby authorized to submit the recurring and final reports to the Congress on the national emergency declared in this order, consistent with section 401(c) of the NEA (50 U.S.C. 1641(c)) and section 204(c) of the IEEPA (50 U.S.C. 1703(c)).

Sec. 7. The Secretary of the Treasury, after consultation with the Secretary of State, is hereby authorized to determine, subsequent to the issuance of this order, that circumstances no longer warrant the inclusion of a person in the Annex to this order and that the property and interests in property of that person are therefore no longer blocked pursuant to section 1 of this order.

Sec. 8. This order is not intended to, and does not, create any right, benefit, or privilege, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, instrumentalities, or entities, its officers or employees, or any other person.

Sec. 9. This order is effective at 12:01 a.m. eastern standard time on February 8, 2006.

George W. Bush

The White House,
February 7, 2006.

[Filed with the Office of the Federal Register, 8:45 a.m., February 9, 2006]

NOTE: This Executive order was released by the Office of the Press Secretary on February 8, and the Executive order and its attached annex were published in the *Federal Register* on February 10.

Message to the Congress Reporting on the Executive Order on Blocking Property of Certain Persons Contributing to the Conflict in Cote d'Ivoire

February 8, 2006

To the Congress of the United States:

Consistent with subsection 204(b) of the International Emergency Economic Powers

Act, 50 U.S.C. 1703(b) (IEEPA), and section 301 of the National Emergencies Act, 50 U.S.C. 1631 (NEA), I hereby report that I have issued an Executive Order (the “order”) blocking the property of certain persons contributing to the conflict in Cote d’Ivoire. In that order, I declared a national emergency to deal with the unusual and extraordinary threat to the national security and foreign policy of the United States posed by that conflict, as described below.

The United Nations Security Council, in Resolution 1572 of November 15, 2004, expressed deep concern over the resumption of hostilities in Cote d’Ivoire, the public incitement of hatred and violence, and the repeated violations of the ceasefire agreement of May 3, 2003. United Nations Security Council Resolution (UNSCR) 1572 determined that the situation in Cote d’Ivoire poses a threat to international peace and security in the region and called on member States to take certain measures against persons responsible for the continuing conflict. The United Nations Security Council has continued to express serious concern at the persistence of the crisis in Cote d’Ivoire and of obstacles to the peace and national reconciliation process from all sides in UNSCRs 1643 of December 15, 2005, and 1652 of January 24, 2006.

Despite the intervention and efforts of the international community, there have been massacres of large numbers of civilians, widespread human rights abuses, significant political violence and unrest, and attacks against international peacekeeping forces in Cote d’Ivoire. Such activity includes the killing of large numbers of civilians in Korhogo in June 2004, and in Abidjan in March 2004; significant violence and unrest, including public incitements to violence, in Abidjan in November 2004; human rights violations, including extrajudicial killings, in western Cote d’Ivoire in April and June 2005; attacks on a police station and prison in July 2005 in Anyama and Agboville, and violent protests in Abidjan and attacks on U.N. and international nongovernmental organization facilities in western Cote d’Ivoire in January 2006. Also, notwithstanding the Linas-Marcoussis Agreement signed by the Ivorian political forces on January 24, 2003, the related

ceasefire agreement of May 3, 2003, the Accra III Agreement of July 30, 2004, the Pretoria Agreement of April 6, 2005, and the Declaration on the Implementation of the Pretoria Agreement of June 29, 2005, consolidating the implementation of the Linas-Marcoussis peace and national reconciliation process, Ivorian parties have continued to engage in military operations and attacks against peacekeeping forces in Cote d’Ivoire leading to fatalities.

Pursuant to the IEEPA and the NEA, I have determined that these actions and circumstances constitute an unusual and extraordinary threat to the national security and foreign policy of the United States and declared a national emergency to deal with that threat and have issued an Executive Order to deal with the threat to U.S. national security and foreign policy posed by the situation in or in relation to Cote d’Ivoire.

The order blocks the property and interests in property in the United States, or in the possession or control of United States persons, of the persons listed in the Annex to the order, as well as of any person determined by the Secretary of the Treasury, after consultation with the Secretary of State,

- to constitute a threat to the peace and national reconciliation process in Cote d’Ivoire, such as by blocking the implementation of the Linas-Marcoussis, Accra III, and Pretoria Agreements;
- to be responsible for serious violations of international law in Cote d’Ivoire;
- to have directly or indirectly supplied, sold or transferred to Cote d’Ivoire arms or any related materiel or any assistance, advice, or training related to military activities; or
- to have publicly incited violence and hatred contributing to the conflict in Cote d’Ivoire.

The designation criteria will be applied in accordance with applicable domestic law, including where appropriate, the First Amendment to the United States Constitution. The order also authorizes the Secretary of the Treasury, after consultation with the Secretary of State, to designate for blocking any person determined to have materially assisted, sponsored, or provided financial, material, or technological support for, or goods

or services in support of, the activities listed above or any person listed in or designated pursuant to the order. I further authorized the Secretary of the Treasury, after consultation with the Secretary of State, to designate for blocking any person determined to be owned or controlled by, or acting or purporting to act for or on behalf of, directly or indirectly, any person listed in or designated pursuant to the order. The Secretary of the Treasury, after consultation with the Secretary of State, is also authorized to remove any persons from the Annex to the order as circumstances warrant.

I delegated to the Secretary of the Treasury, after consultation with the Secretary of State, the authority to take such actions, including the promulgation of rules and regulations, and to employ all powers granted to the President by the IEEPA and the United Nations Participation Act, as may be necessary to carry out the purposes of the order. All executive agencies are directed to take all appropriate measures within their authority to carry out the provisions of the order.

The order, a copy of which is enclosed, became effective at 12:01 a.m. eastern standard time on February 8, 2006.

George W. Bush

The White House,
February 8, 2006.

Memorandum on Determination To Waive Military Coup-Related Provision of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2006, With Respect to Pakistan

February 7, 2006

Presidential Determination No. 2006–09

Memorandum for the Secretary of State

Subject: Determination to Waive Military Coup-Related Provision of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2006, with respect to Pakistan

Pursuant to the authority vested in me by the Constitution and laws of the United States, including section 534(j) of the For-

eign Operations, Export Financing, and Related Programs Appropriations Act, 2006 (the “Act”) (Public Law 109–102), and Public Law 107–57, as amended, I hereby determine and certify, with respect to Pakistan, that a waiver of section 508 of the Act:

- (a) would facilitate the transition to democratic rule in Pakistan; and
- (b) is important to United States efforts to respond to, deter, or prevent acts of international terrorism.

Accordingly, I hereby waive, with respect to Pakistan, the prohibition contained in section 508 of such Act.

You are authorized and directed to transmit this determination to the Congress and to arrange for its publication in the *Federal Register*.

George W. Bush

NOTE: This memorandum was released by the Office of the Press Secretary on February 8.

Memorandum on Determination To Authorize a Drawdown for Afghanistan

February 7, 2006

Presidential Determination No. 2006–10

Memorandum for the Secretary of State and the Secretary of Defense

Subject: Determination to Authorize a Drawdown for Afghanistan

Pursuant to the authority vested in me by the Constitution and laws of the United States, including section 202 and other relevant provisions of the Afghanistan Freedom Support Act (Public Law 107–327, as amended) and section 506 of the Foreign Assistance Act of 1961, as amended, 22 U.S.C. 2318, I hereby direct the drawdown of up to \$16.998 million of defense articles, defense services, and military education and training from the Department of Defense for the Government of Afghanistan. This determination also amends PD 2005–19, signed January 27, 2005, by substituting “\$71.502” therein for “\$88.5”.

The Secretary of State is authorized and directed to report this determination to the